

22 (3) Within 60 days of receipt of a petition that meets the requirements of subsection (2)(b), the municipal
23 governing body shall cause to be conducted an independent third-party investigation of the use of the revenue
24 to determine whether the use of the revenue was inconsistent with the stated purpose of the levy.

Amendment

22. (3) within 60 days of receipt of a petition that meets the requirements of subsection (2)(b), the municipal
23 governing body shall cause to be conducted an independent third party investigation of the use of the revenue
24. to determine whether the use of the revenue was inconsistent with the stated purpose of the levy. Within three
25 days of the receipt of the petition as described in subsection (2)(b), a list of 5 qualified and disinterested Public
26 Accounting Firms from----- shall be established. From this list the parties shall alternately strike two
27names. The remaining person shall be designated as the independent third party. The cost of the independent
28third party investigation shall be shared equally by the petitioner and the municipality.

25 30 (4) Within 30 days of completion of the investigation, the municipal governing body shall hold a hearing
26 1 during which the findings of the investigation must be disclosed. Notice of the hearing must be provided as
27 2 required under 7-1-4127.

28 3 (5) If the conclusion of the investigation is that the levy revenue was not used for the intended purpose,
29 4 the municipal governing body shall, at its next regular meeting after the hearing, announce how it intends to
30 5 properly direct the revenue and meet the requirements of subsection (1).

An example of this procedure is found in MCA 39-34-102. Designation of Arbitrator